

Message Text

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C O R R E C T E D C O P Y (TEXT)

PASS ALSO MEPD

E.O. 11652: N/A
TAGS: BENC, BEXP, NI
SUBJECT: TRADE COMPLAINT: CURT OGDEN EQUIPMENT COMPANY

1. EMBASSY HAS BEEN INFORMED BY MR. AJOSE-ADEOGUN, COMMISSIONER FOR SPECIAL DUTIES, FEDERAL CAPITAL DEVELOPMENT AUTHORITY (FCDA), THAT CURT OGDEN EQUIPMENT COMPANY, 500 SOUTH HIGHWAY DRIVE, ST. LOUIS, MISSOURI 63026, TELEPHONE (314) 343-5000, HAS NOT FULFILLED THE TERMS OF ITS CONTRACTS WITH FCDA. ACCORDING TO MR. AJOSE-ADEOGUN, IN JANUARY 1977, THE FCDA PURCHASED 14 MOBILE HOMES FROM THE COMPANY AND ISSUED TO THEM AN IRREVOCABLE LETTER OF CREDIT FOR DOLS 584,886.54 BEFORE DELIVERY. THE COMPANY WAS TO DELIVER THE 14 MOBILE HOMES AND ASSIGN TWO MEN TO THE SITE FOR 14 DAYS FOR INSTALLATION OF THE UNITS. JUNE 26, 1977, ACCORDING TO THE AUTHORITY, THE MOBILE HOMES WERE BROUGHT BY SHIP TO NIGERIA, BUT UPON INSPECTION THE MAIN BODIES OF THE CARAVANS AND MOST OF THE EQUIPMENT AND FIXTURES WERE BADLY DAMAGED.

2. MR. AJOSE-ADEOGUN CLAIMS THAT FCDA HAS COM-
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MUNICATED THE ABOVE INFORMATION TO CURT OGDEN EQUIPMENT COMPANY SINCE FEBRUARY 10, 1978 AND URGED THEM TO SEND SOMEONE FOR REPAIRS AND ENGINEERS FOR THE INSTALLATION EXERCISE. THE COMPANY HAS NOT HONORED THAT PART OF THE CONTRACT. IN FACT MR. AJOSE-ADEOGUN CLAIMS THAT THE COMPANY IS REQUESTING ANOTHER LETTER OF CREDIT FOR SHIPMENT OF TWO CATERPILLAR 85KW

GENERATORS AT COST OF DOLS 48,698, A TRAILER PARTS
AND SPARE PARTS PACKAGE FOR DOLS 10,551, AIR FREIGHT
OF THE GENERATORS TO LAGOS FOR DOLS 13,144, AIR FREIGHT
OF REPAIR PARTS AND SPARE PARTS TO LAGOS DOLS 3,110,
AND ROUND TRIP AIR TRAVEL FOR TWO SERVICEMEN FOR
DOLS 4,772, TOTALING DOLS 80,275.

3. THE ECDA CLAIMS THAT CURT OGDEN EQUIPMENT COMPANY
IS ATTEMPTING TO HOLD THE FCDA AT RANSOM FOR
MORE MONEY AND PURCHASES. THE FCDA ALSO ORDERED
AND PAID FOR FOUR FORD 3/4 TON FOUR-WHEEL DRIVE
TRUCKS FROM CURT OGDEN EQUIPMENT COMPANY WHICH HAVE
YET TO BE SUPPLIED. MR. AJOSE-ADEOGUN SUGGESTS
THAT OGDEN'S ACTIONS MAR THE REPUTATION OF
AMERICAN COMPANIES IN NIGERIA. HEREQUESTS THAT
ALL ATTEMPTS BE MADE TO INSURE THAT CURT OGDEN
EQUIPMENT COMPANY COMPLIES WITH ORIGINAL AGREEMENT.

4. REQUEST COMMERCE INFORM OGDEN OF THESE
ALLEGATIONS AND LEARN WHAT STEPS FIRM PLANS TO TAKE
TO REMEDY THE COMPLAINT AND WHEN. PLEASE CABLE
RESPONSE SOONEST AS FCDA IS MAJOR CUSTOMER FOR U.S.
ENGINEERING SERVICES AND EQUIPMENT.
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